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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
OSCAR NUNEZ-DENIZ,)
)
Defendant.)

No. CR 12-00242 EJD

STIPULATION AND ~~PROPOSED~~
ORDER EXCLUDING TIME FROM
AUGUST 6, 2012 TO AUGUST 20, 2012

STIPULATION

The defendant, OSCAR NUNEZ-DENIZ, represented by Assistant Federal Public Defender Cynthia Lie, and the government, represented by Special Assistant United States Attorney Meredith Edwards, hereby stipulate that, with the Court's approval, the status hearing currently set for Monday, August 6, 2012, at 1:30 p.m., shall be continued to Monday, August 20, 2012, at 1:30 p.m. Additional discovery has been requested and, once received, defense counsel will need the additional time to review the materials and to conduct necessary

1 investigation. Therefore, the parties request that time be excluded under the Speedy Trial Act, 18
2 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

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4 Dated: July 27, 2012

/s/

MEREDITH J. EDWARDS
Special Assistant United States Attorney

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6
7 Dated: July 27, 2012

/s/

CYNTHIA LIE
Assistant Federal Public Defender

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~~PROPOSED~~ ORDER

Pursuant to agreement and stipulation of the parties, the Court HEREBY ORDERS that the time between August 6, 2012 and August 20, 2012 is excluded under the Speedy Trial Act, 18 U.S.C. § 3161. The Court finds, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv), that the failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Furthermore, the Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

DATED: 7/30/2012



THE HONORABLE EDWARD J. DAVILA
United States District Judge